

# WATER DAMAGES

Water damage is the most common damage between condominium units. The purpose of this letter is to explain the Association's procedure when these events occur.

## **Stop the Cause of the Water Damage**

Once the association is aware of water leaking between units, the maintenance staff immediately attempts determine the source of the leak and stop the water flow. The owners of the units effected will be contacted as soon as possible and informed of the situation.

If the water leak was significant enough to leave excess water standing or soaking into the walls and floors, the association will treat this as an emergency and may hire a remediation company to remove or dry up the excess water before mold or mildew can start growing and cause further damage to the building. Based on the maintenance obligations of the unit owners outlined in the Declaration and Bylaws, the effected unit owners may be billed for the any emergency services required in their unit.

## **Insurance Loss**

If the water damage is significant enough to cause repairs in excess of the association's insurance deductible, an insurance claim will be filed for the units and common areas damaged. The unit owners will also be encouraged to contact their personal insurance carriers for any damages under the association's deductible.

## **The Cause of the Water Leak**

The maintenance staff will typically communicate with the unit owners involved and explain what was the reason for the leak and where the leak originated.

## **Who is Responsible to Repair the Damages?**

Repair of damages not covered by insurance would become the responsibility of the unit owner suffering the damages. The Declaration states: "Each unit owner is responsible to maintain and keep in good repair all portions of his or her unit."

A common question is: "Shouldn't the owner where the leak originated be liable to pay for my damages?" The association does not offer legal advice to owners, but encourages the reading of the attached article entitled, "Water, Water Everywhere... and Who Do You Think is Gonna Pay?" This explains some of the common questions asked when water damages occur. It was written by George E. Nowack, Jr. with the law firm NowackHoward.

If the owners that suffered damages want to contact the owner where the leak originated, the Office Manager will provide the name and address of that unit owner. All communication between these owners is a private matter and the association does not get involved in matters of liability and damages between these owners except as described above.

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